

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
GREAT FALLS DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

WESLEY DAVID EDWARDS,

Defendant.

**CR-11-14-GF-BMM-01**

**ORDER ADOPTING MAGISTRATE  
JUDGE'S FINDINGS AND  
RECOMMENDATIONS TO MODIFY  
CONDITIONS OF DEFENDANT'S  
SUPERVISED RELEASE**

United States Magistrate Judge John Johnston entered Findings and Recommendations in this matter on November 3, 2015. (Doc. 75.) Neither party filed objections. When a party makes no objections, the Court need not review *de novo* the proposed Findings and Recommendations. *Thomas v. Arn*, 474 U.S. 140, 149-152 (1986). The Court will review Judge Johnston's Findings and Recommendations, however, for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981).

Judge Johnston conducted a revocation hearing on November 2, 2015. (Doc. 70.) The United States Probation Office (USPO) accused Edwards of violating his conditions of supervised release by committing another crime, consuming alcohol, failing to notify his probation officer of a change in residence, and failing to make restitution payments. (Doc 68.) Based on the joint recommendation of the USPO

and the parties, Judge Johnston recommends that the Court continue the revocation hearing until April 5, 2016. (Doc. 75.) Judge Johnston additionally recommends that the Court modify the special conditions of Edwards's supervised release to impose a 90-day period of electronic monitoring, to prohibit Edwards from driving, and to require Edwards to reside with his uncle, Jess Edwards. (*Id.*)

The Court finds no clear error in Judge Johnston's Findings and Recommendations, therefore,

**IT IS HEREBY ORDERED** that Judge Johnston's Findings and Recommendations (Doc. 75) is ADOPTED IN FULL.

**IT IS FURTHER ORDERED** that:

1. Defendant Wesley David Edwards shall continue on his term of supervised release. The revocation hearing is continued until April 5, 2016.
2. The Court modifies Edwards's conditions of supervised release to include the following conditions:
  - Edwards must reside with his uncle, Jess Edwards.
  - Edwards shall not operate a motor vehicle unless he first obtains written permission from the USPO.
  - Edwards shall be monitored by location monitoring technology at the discretion of the probation officer for a period of 90 days, and shall abide by all technology requirements.

The participant shall pay all or part of the costs of participation in the location monitoring program as directed by the court and the probation officer. This form of location monitoring technology shall be utilized to monitor the following restriction on the offender's movement in the community as well as other court-imposed conditions of release: Edwards is restricted to his residence at all times except for employment; education; religious services; medical, substance abuse, or mental health treatment; attorney visits; court appearances; court-ordered obligations; or other activities as pre-approved in writing by the probation officer.

DATED this 23rd day of November, 2015.

A handwritten signature in blue ink, reading "Brian Morris". The signature is fluid and cursive, with a horizontal line extending from the end of the name.

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Brian Morris  
United States District Court Judge